

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

AMANDA C. MORRIS

PLAINTIFF

v.

No. 4:12-cv-281-DPM

**U.S. BANK NATIONAL ASSOCIATION;
MICHAEL SHELLEY; and MIKE RICHARDSON**

DEFENDANTS

PROTECTIVE ORDER

The parties stipulate, and the Court orders, as follows:

1. Confidential Information, as defined in this Order, and produced by either party or pursuant to a release for medical or employment records in this action, shall be used only for the purpose of this litigation and for no other purpose whatsoever, and shall not be given, shown, made available, or communicated in any way to anyone except Qualified Persons, as defined in this Order.

2. Confidential Information includes, without limitation:

a) Those personnel files, applications, job descriptions, rates of pay, policies, training materials, insurance coverage information, benefits information, financial information, proprietary information, loyalty scores, survey information, award information, and trade secrets;

b) Any information of the type set forth in 2(a) above as may be, from time to time, produced by the parties and declared by the party at the time of production to be "Confidential Information" and subject to this Order. Designation shall be in writing and may be made by letter of transmittal to the party.

3. Except with the prior written consent of the party or pursuant to further Order of this Court on motion with notice to the party, no Confidential Information may be disclosed to any person other than "Qualified Persons" who shall be defined to include the parties, any future counsel of record for the parties in this action, and secretaries, paraprofessional assistants, and other employees of counsel who would be actively engaged in assisting counsel in connection with this action. Plaintiff agrees that Confidential Information will not be disclosed to anyone, unless used for the purpose of trial preparation, depositions or the actual trial proceedings. Plaintiff agrees that if Confidential Information is disclosed during trial preparation or depositions, Plaintiff will advise the recipient of the information that he or she must keep the information confidential except during depositions or the actual trial proceedings. Plaintiff specifically agrees that Confidential

Information contained in the personnel files of current or former employees will not be disclosed to anyone, unless used in the course of the actual trial proceedings.

4. Upon receipt of Confidential Information from opposing counsel, the party receiving the Confidential Information shall execute and return to opposing counsel a document entitled "Inventory of Confidential Documents Received," attached as Exhibit A.

5. This Order, insofar as it restricts the communication in any way and use of Confidential Information, shall continue to be binding for one year after the litigation, including all appeals, ends. At that point:

- a) Counsel may destroy the confidential information. Further, counsel may take all reasonable steps necessary to reclaim all Confidential Information, including correspondence, memoranda, notes, or any other documents embodying such information, in whole or in part, by requesting the return of all copies of the Confidential Information and paying reasonable expenses for the return of the documents.

b) Counsel and all Qualified Persons shall not disclose in any manner any Confidential Information obtained during the course of this proceeding.

6. Nothing in this Order shall prevent any party from seeking modification of this Order at any time as to specific matters designated "Confidential Information" to remove that information from the application of this Order.

7. Any Confidential Information as may be required to be filed with the Court and with the Clerk of this Court shall be redacted when practicable. FED. R. CIV. P. 5.2. If redaction is not practicable, the parties shall file the Information under seal. Only the Court, Court personnel, and counsel for the parties shall have access to the sealed record in this proceeding until further Order of this Court.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

17 October 2013

EXHIBIT A

INVENTORY OF CONFIDENTIAL DOCUMENTS RECEIVED

I hereby acknowledge receipt of the following documents, document pages, or depositions which are subject to the Protective Order for the protection of documents in *Amanda C. Morris v. U.S. Bank National Association, Michael Shelley, and Mike Richardson*, No. 4:12-cv-281-DPM (list all documents, pages, and depositions received):

Name: _____

Date: _____